

COPY

ATTY. DOCKET NO 16930-004800US
GREGORY ET AL.
FILED: May 18, 2001
EXPRESS MAIL LABEL NO.: EL827036076US

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As the below-named inventors, we hereby declare
that:

My residence, post office address and citizenship
are as stated below next to my name.

I believe I am an original, first and joint inventor
of the subject matter which is claimed and for which a patent
is sought on the invention entitled RECOMBINANT ADENOVIRAL
VECTOR AND METHODS OF USE, the specification of which

_____ is attached hereto.

xxxx was filed on October 25, 1994, (Attorney
Docket No. P-CJ 1192) as Application
Serial No. 08/328,673.

and was amended on (or amended through) _____
(if applicable)

I hereby state that I have reviewed and understand
the contents of the above-identified specification, including
the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which
is material to the examination of this application in
accordance with Title 37, Code of Federal Regulations, Sec.
1.56(a).

I hereby claim the benefit under Title 35, United
States Code, §120 of any United States application(s) listed
below and, insofar as the subject matter of each of the claims
of this application is not disclosed in the prior United
States application in the manner provided by the first
paragraph of Title 35, United States Code §112, I acknowledge
the duty to disclose material information as defined in Title
37, Code of Federal Regulations, §1.56(a) which occurred
between the filing date of the prior application(s) and the

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national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
08/233,777	May 19, 1994	Pending
08/142,669	October 25, 1993	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

CATHRYN CAMPBELL, Registration No. 31,815; CHRISTINE BELLAS, Registration No. 34,122; SUSAN M. PERKINS, Registration No. 36,405; RICHARD J. IMBRA, Registration No. 37,643; PAUL C. STEINHARDT, Registration No. 30,806; GREGORY R. HOOK, Registration No. P38,701; and DAVID SPOLTER, Registration No. 36,933. Direct all telephone calls to Cathryn Campbell at telephone no. (619) 535-9001.

Address all correspondence to:

Cathryn Campbell
CAMPBELL AND FLORES
4370 La Jolla Village Drive, Suite 700
San Diego, California 92122

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Page 3

Full name of first inventor: RICHARD J. GREGORY

Inventor's signature: Richard J. Gregory

Date: 11/23/94

Residence: Carlsbad, California

Citizenship: United States

Post Office Address: 4789 Gateshead Road
Carlsbad, California

Full name of second inventor: KEN N. WILLS

Inventor's signature:

Date:

Residence: Encinitas, California

Citizenship: United States

Post Office Address: 821 Bluffcrest Lane
Encinitas, California

Full name of third inventor: DANIEL C. MANEVAL

Inventor's signature: Daniel C. Maneval

Date: 11/23/94

Residence: San Diego, California

Citizenship: United States

Post Office Address: 12578 Cavollo Street
San Diego, California

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
P-CJ 1192
Serial No.: 08/328,673

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, Attn: Application Processing Division, on February 8, 1995.

By Paul C. Steinhardt
Paul C. Steinhardt, Reg. No. 30,806
2/8/95
Date of Signature



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DECEMBER 27, 1995

PTAS

CAMPBELL AND FLORES
CATHRYN CAMPBELL
4370 LA JOLLA VILLAGE DRIVE, SUITE 700
SAN DIEGO, CA 92122



100055531A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/13/1995

REEL/FRAME: 7591/0355
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GREGORY, RICHARD J.

DOC DATE: 11/23/1994

ASSIGNOR:

WILLS, KEN N.

DOC DATE: 11/23/1994

ASSIGNOR:

MANEVAL, DANIEL C.

DOC DATE: 11/23/1994

ASSIGNEE:

CANJI, INC.
3030 SCIENCE PARK ROAD
SUITE 302
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 08328673
PATENT NUMBER:

FILING DATE: 02/13/1995
ISSUE DATE:

RECEIVED

JAN 09 1995

CAMPBELL & FLORES

SEDLEY PYNE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

09-01-1995

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

FEB 13 1995

(S)

A.D.

Attached original documents or copy thereof.

100055531

1. Name of conveying party(ies):

Richard J. Gregory
 Ken N. Wills
 Daniel C. Maneval

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment
 Security Agreement
 Other _____

- Merger
 Change of Name

Execution Date: November 23, 1994
 November 23, 1994

2. Name and address of receiving party(ies):

Name: CANJI, Inc.

Internal Address: _____

Street Address: 3030 Science Park Road

Suite 302

City: San Diego State: CA ZIP: 92121

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s): 08/328,673

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

08/328,673

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Cathryn Campbell

Internal Address: _____

Street Address: Campbell and Flores

4370 La Jolla Village Drive, Ste. 700

City: San Diego State: CA ZIP: 92122

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit acc.)

DO NOT USE THIS SPACE

060 MJ 02/28/95 08328873

1 581 40.00 CK

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Paul C. Steinhardt, Reg. No. 30,806

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: 5

JOINT

ASSIGNMENT

This Assignment is made by Richard J. Gregory of Carlsbad, California, Ken N. Wills of Encinitas, California, and Daniel C. Maneval of San Diego, California, Assignors, to Canji, Inc., Assignee, having a place of business at 3030 Science Park Road, Suite 302, San Diego, California 92121.

WHEREAS, Assignors have invented a new and useful RECOMBINANT ADENOVIRAL VECTOR AND METHODS OF USE for which an application for United States Letters Patent was filed on October 25, 1994, in the United States Patent and Trademark Office, bearing Serial No. 08/328,673 and identified as Attorney Docket No: P-CJ 1192;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, the entire right, title, and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to

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which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

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Filed: October 25, 1994
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IN WITNESS WHEREOF, Assignors have executed this Assignment on the date(s) provided below.

Assignor: RICHARD J. GREGORY

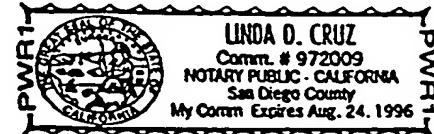
Richard J. Gregory
Signature

STATE OF California)
COUNTY OF San Diego)

On November 23, 1994, before me, Linda D. Cruz, Notary Public, personally appeared Richard J. Gregory, personally known to me - OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Linda D. Cruz
(Signature of Notary)



Assignor: KEN N. WILLS

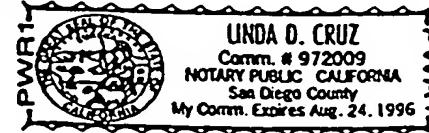
Ken Wills
Signature

STATE OF California)
COUNTY OF San Diego)

On November 23, 1994, before me, Linda D. Cruz, Notary Public, personally appeared Ken N. Wills, personally known to me - OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Linda D. Cruz
(Signature of Notary)



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Page 4

Assignor: DANIEL C. MANEVAL

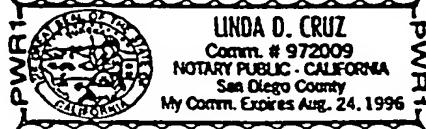
Daniel C. Maneval

STATE OF California)
COUNTY OF San Diego)

On November 23, 1994, before me, Linda D. Cruz Notary Public, personally appeared Daniel C. Maneval, ~~personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.~~

WITNESS by hand and official seal.

Linda D. Cruz
(Signature of Notary)



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents,
Washington, D.C. 20231.

PATENT

Attorney Docket No. 16930-000920

on September 23, 1997

TOWNSEND and TOWNSEND and CREW LLP

By Michelle Chan

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
RICHARD J. GREGORY, et. al.) Examiner: WEISS, B.
Application No.: 08/328,673) Art Unit: 1805
Filed: October 25, 1994) REVOCATION AND SUBSTITUTION OF
For: RECOMBINANT ADENOVIRAL) POWER OF ATTORNEY UNDER 37 CFR
VECTOR AND METHODS OF USE) S 1.36

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR § 1.36, Canji, Inc., revokes all previous powers of attorney and hereby appoints the following to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Renee A. Fitts, Reg. No. 35,136
William M. Smith, Reg. No. 30,223
James M. Heslin, Reg. No. 29,541
Joe Liebeschuetz, Reg. No. 37,505
John R. Storella, Reg. No. 32,944
Kevin L. Bastian, Reg. No. 34,774

Please direct all future correspondence regarding the subject application to:

Renee A. Fitts
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
(650) 326-2400
Fax (650) 326-2422

Canji, Inc.

Date: 9/17/97

By: Nagabhushan
Dr. T.L. Nagabhushan

Title: Vice President

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(650) 326-2400
Fax (650) 326-2422

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CERTIFICATE UNDER 37 C.F.R. § 3.1(o)

Applicant: Richard J. Gregory et al.

Application No.: 08/328,673

Filed: October 25, 1994

For: Recombinant Adenoviral Vector and Methods of Use

Canji, Inc., a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7591, Frame(s) 0355-0359, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : _____

Name : T.L. Nagabhushan

Title : Vice President

Signature : 200 9/17/98